

346 AGRICULTURE AND FOREST DISTRICT (AF-10)

346-1 Intent and Purpose

The AF-10 District is intended to retain an area's rural character and conserve the natural resources while providing for rural residential use in areas so designated by the Comprehensive Plan.

The purpose of this agricultural and forestry district is to promote agricultural and forest uses on small parcels in the rural area, while recognizing the need to retain the character and economic viability of agricultural and forest lands, as well as recognizing that existing parcelization and diverse ownerships and uses exist within the farm and forest area. Residents of rural residential tracts shall recognize that they will be subject to normal and accepted farming and forestry practices.

This District is appropriate in rural lands with steep topographic characteristics where there are limited public facilities and services.

346-2 Uses Permitted Through a Type I Procedure

The following uses are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for each permitted use.

- 346-2.1 Accessory Uses and Structures - Section 430-1.
- 346-2.2 Conservation Areas and Structures (public and private) for the conservation of water, soil, open space, forest or wildlife resources (exempt from waiver).
- 346-2.3 Detached Dwelling Unit (one), on a lot of record or legally created lot.
- 346-2.4 Home Occupation - Section 430-63.1.
- 346-2.5 Property Line Adjustment - Section 610-1.1.
- 346-2.6 Parks - Section 430-97.
- 346-2.7 Temporary Use - Sections 430-135.1 C. (6) and (7); 430-135.1 H.
- 346-2.8 Alteration, restoration or replacement of a lawfully established dwelling on a lot or parcel upon which two (2) or more lawful dwellings exist. In the case of replacement, the existing dwelling shall be removed, demolished, or converted to an accessory structure, pursuant to Section 430-8.1. For required standards see Section 430-8.1.
- 346-2.9 Boarding or training of horses for profit, not to exceed a total of fourteen (14) horse stalls (includes stalls for the owner's horses) - Section 430-21.
- 346-2.10 Co-located antennas, excluding those antennas exempt pursuant to Sections 430-109.1 and 201-2 – Section 430-109.3.

- 346-2.11 Facility 2 communication towers to a maximum height of one-hundred (100) feet, excluding those towers exempt pursuant to Sections 430-109.1 and 201-2 – Section 430-109.4.

346-3 Uses Permitted Through a Type II Procedure

The following uses are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5. A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for each permitted use.

- 346-3.1 Family Day Care Provider - Section 430-53.6.
- 346-3.2 Home Occupation - Section 430-63.2.
- 346-3.3 Parks - Section 430-97.
- 346-3.4 Public Utility - (except commercial facilities for the purpose of generating power for public use by sale) - Section 430-105.3 through 430-105.7.
- 346-3.5 Co-located antennas, not otherwise allowed through a Type I Procedure – Section 430-109.
- 346-3.6 Stockpiling of aggregate, sand and gravel for road maintenance purposes - Section 430-132.
- 346-3.7 Temporary Use - Section 430-135.2 A. and B.
- 346-3.8 Alteration, restoration or replacement of a lawfully established dwelling on a lot or parcel upon which two (2) or more lawful dwellings exist that is not permitted through a Type I procedure. For required standards see Section 430-8.2.
- 346-3.9 Day Care Facility - Section 430-53.2 I.
- 346-3.10 Boarding or training of horses for profit with fifteen (15) or more horse stalls (includes stalls for the owner's horses) - Section 430-21.
- 346-3.11 Unless exempt under 201-2, importing fill material as a customarily accepted farming practice or for a use allowed in the district – Section 410.
- 346-3.12 Clean Fill Site as defined by DEQ rules – Section 410.

346-4 Uses Which May be Permitted Through a Type III Procedure

The following uses may be permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5. Unless the use is specifically exempted,

the Review Authority shall make specific findings with respect to the standards in Section 346-4.2.

346-4.1 Uses which may be allowed:

- A. Airport, including associated hangar, maintenance and service facilities - Section 430-7.
- B. Campground - Section 430-25.
- C. Cemetery - Section 430-27.
- D. Church - Section 430-29.
- E. Contractor's establishment – Section 430-34.
- F. Day Care Facility - Section 430-53.2.
- G. Golf Course - Section 430-50.
- H. Heliport - Section 430-59.
- I. Housing for Seasonal Farm and Forest Labor - Section 430-67.
- J. Hunting and Fishing Preserve (including Trout Farm) -Section 430-69.
- K. Kennel - Section 430-73.
- L. Operation for Exploration of Geothermal Resources as defined by ORS 522.005.
- M. Private Club - Section 430-99.
- N. Public Building, limited to Governmental Structures, community buildings and museums, which serve the local area - Section 430-103.
- O. School - Section 430-121.
- P. Shooting Clubs - Section 430-125.
- Q. Solid Waste Disposal Site - Section 430-127.
- R. Utility Facility (Commercial) for the generation of power for sale for public use - Section 430-141.
- S. Veterinary or Animal Hospital.
- T. Winery - May include accessory tasting room and incidental sales - Section 430-145.2.
- U. Outdoor Performing Arts Center - Section 430-88.

- V. Facility 3 and 4 communication towers, to a maximum height of one-hundred (100) feet - Section 430-109.
 - W. Emergency Response/Safety Training Center - Section 430-44.
 - X. Home Occupation - Section 430-63.3.
 - Y. Broadcast Towers to a maximum height of one hundred (100) feet - Section 430-109.
- 346-4.2 Required Findings:
- A. The requested use is compatible with the surrounding uses or can be made more compatible through conditions of approval.
 - B. The proposed use does not interfere seriously with “accepted farming practices” as defined in ORS 215.203(2)(c) or forestry uses on adjacent lands devoted to farm or forest uses.
 - C. The applicant has signed and recorded in the Deed and Mortgage Records of the County, a waiver of the right to remonstrate against customarily accepted farming or forestry practices.
- 346-5 Prohibited Uses**
- 346-5.1 Structures or uses of land not specifically authorized by Section 346.
 - 346-5.2 The use of a recreational vehicle for a residence, except as provided for under Section 430-135.2 A.
 - 346-5.3 Outdoor advertising displays, advertising signs or structures except as provided in Section 414.
 - 346-5.4 The location of service facilities which house groups of people and public assembly facilities in airport approach zones. These facilities shall be avoided within any existing June, 1983 Airport Year 2000 LDN fifty-five (55) contour.
 - 346-5.5 Mounting a communication tower or antenna, that is not a permitted accessory use, on a detached dwelling.
 - 346-5.6 Mounting an antenna, that is not a permitted accessory use, on a communication tower that is accessory to a detached dwelling.
 - 346-5.7 Auto wrecking yards.
 - 346-5.8 The outdoor parking or storage of any five (5) or more operable vehicles on a single lot or parcel for more than forty-eight (48) hours, except in conjunction with an approved development or with a farm use.
 - 346-5.9 Any parking or storage of tractor trailers, semi-trucks, or heavy equipment, except in conjunction with an approved development or with a farm or forest use.

346-6 Dimensional Requirements

346-6.1 Lot Area:

A. Lot area as used in this subsection shall be determined as follows:

- (1) The lot area shall be the entire area described in the deed to which the owner holds title, including such land as may be described in the deed as "subject to the rights of the public to any portion lying within the right-of-way," or similar clause. If the lot described in the deed has not been surveyed, a survey may be required to determine the exact acreage.
- (2) If the lot was created by a plat, the lot area is the sum of the net area for the lot as shown on the plat plus land contiguous to the lot shown as having been dedicated to the public for road right-of-way.

B. The minimum lot area shall be ten (10) acres except:

- (1) For lots of record; and
- (2) The lot area for new lots or parcels created through the land division process of Article VI may be varied by twenty (20) percent provided there is no increase in lot density.

346-6.2 Yard Requirements:

The minimum yard requirements shall be:

- A. Thirty (30) foot front yard;
- B. Ten (10) foot side yard;
- C. Twenty (20) foot rear yard;
- D. Thirty (30) foot street side yard; and
- E. Additional setbacks may be required as specified in Section 418.

346-6.3 Height:

- A. Maximum height of dwellings and residential accessory structures shall be thirty-five (35) feet.
- B. Normal building appurtenances and projections such as spires, belfries, cupolas, chimneys, ventilators, elevator housings or other structures placed on or extending above roof level may exceed the thirty-five (35) foot building height limit to a maximum height of sixty (60) feet.
- C. No structure or structural parts shall exceed height standards established for any airport in the County established in accordance with Federal Aviation Administration's Aviation Regulations.

D. The height of telecommunication facilities are regulated by the Permitted Use sections of this Land Use District, Sections 201, 430-1, 430-109 and other applicable provisions of this Code.

346-6.4 Minimum lot width at the street:

The minimum lot width at the street shall be thirty (30) feet or the lot shall have an easement of record at least thirty (30) feet wide at the street or as approved by the appropriate fire marshal.

346-7 Access

All lots in this District shall either:

346-7.1 Abut a public street; or

346-7.2 Have an easement of record at least thirty (30) feet wide at the street or as approved by the appropriate fire marshal.

346-7.3 Access roadways shall be approved, developed and maintained in accordance with the requirements of the appropriate fire protection agency for the geographical location. Where no fire protection agency has jurisdiction, access roadways shall meet the requirement of the nearest or most likely fire protection jurisdiction to annex the property under consideration.

346-8 Article IV - Development Standards

In addition to the requirements of this District, the standards of Article IV - Development Standards, including Section 422 (Significant Natural Resources), are applicable as required by Subsection 403-4.